UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1997/140
19 February 1997

ORIGINAL: ENGLISH

LETTER DATED 17 FEBRUARY 1997 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to forward to the attention of the President of the Security Council the decisions on Mostar adopted on 12 February 1997 by officials of the Federation of Bosnia and Herzegovina at a meeting attended by representatives of the Office of the High Representative, the Stabilization Force (SFOR) and the United Nations International Police Task Force (IPTF).

The decisions on Mostar of 12 February 1997 are contained in the annex to the present letter.

May I ask for your kind assistance in circulating the text of the present letter and its annex as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador and Permanent Representative
Special Envoy

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Annex

Decisions on Mostar of 12 February 1997

On 12 February 1997, President Izetbegovic, President Zubak, Co-Chairman Haris Silajdzic, Foreign Minister Prlic, HDZ president Rajic, SDA Vice-president and Prime Minister Bicakcic, Mostar Mayor Prskalo and Deputy Mayor Orucevic met in Sarajevo to address the recent events in Mostar. The meeting was chaired by the Principal Deputy High Representative, Ambassador Steiner. Also present were the Commander of the Stabilization Force (SFOR), General Crouch, Acting Police Commissioner Wasserman and Head of the Office of the High Representative (OHR) South Garrod.

The participants condemned in the strongest terms the outbreak of violence in Mostar and all provocative acts preceding the present crisis. They equally condemned the wave of evictions of Mostar citizens which followed the events of Monday. They deeply deplored the bloodshed and the loss of life of citizens of Mostar. They expressed their condolences to the bereaved, and sympathy to those who were injured.

The participants committed themselves to undertake all efforts to calm down tensions, to overcome the present crisis and to fully implement existing Federation agreements, including the Mostar provisions of the Agreed Measures of the Federation Forum of 3 February. All of the facts must be established. They agreed that the recent acts of violence should not go unpunished and that the perpetrators be brought to justice.

The following decisions were taken:

1. The participants reconfirmed the request to the United Nations International Police Task Force (IPTF) to conduct an independent investigation into the events and to submit a report which should, in particular, identify those individuals responsible for the escalation of violence and the attacks on citizens of Mostar. They took note of the fact that for this purpose IPTF established an independent investigation team on 11 February. Its findings will be submitted to the principals of the major implementation agencies in Bosnia and Herzegovina and to the Contact Group within one week.

2. The participants committed themselves personally to ensure that IPTF will receive all available evidence and that police forces will cooperate fully and in good faith in the conduct of the investigation. Local police shall comply with all demands by the investigation team and will assist IPTF in all stages of the investigations, including by making all persons immediately available for interviews by the investigators. The operational responsibility for the provision of the evidence to IPTF lies with the Mayor and his Deputy.

3. The participants agreed that they would accept and endorse the report by IPTF in full and that they would draw the necessary conclusions from it, in particular the following:

(a) Perpetrators will be arrested and brought to trial;

(b) Office holders, including police suspected of instigating or participating in the violence, will be relieved of their duties and, if found responsible, will be dismissed from their offices.

4. The participants guarantee that all citizens who have been evicted from their homes in the course of the recent events will be enabled to return to their dwellings without delay. The participants will also ensure that all persons responsible for illegal evictions are identified, arrested and prosecuted. All illegal evictions will be stopped. The participants decided that the Cantonal Ministers of Interior would be personally responsible for the implementation of this provision and submit full compliance reports to the head of OHR South by 18 February. The participants stressed their determination to dismiss those policemen from their duties who in the judgment of IPTF do not cooperate in the implementation of this provision in good faith. They requested IPTF to closely monitor the return of evicted citizens to their homes.

5. The participants appealed to IPTF and SFOR to keep an increased presence in Mostar until the situation has further stabilized and full freedom of movement is re-established. They decided that the nightly curfew should remain in place and be reinforced by the police forces of Mostar until IPTF determines that the security situation allows its suspension.

6. The participants reconfirmed their commitment to the UPFM and will instruct the police in Mostar to fully participate in its work with immediate effect, including the proper functioning of the joint headquarters.

7. The participants took note of the fact that the carrying of long-barrelled weapons by the police in Mostar is not authorized by IPTF and that IPTF/SFOR will continue to confiscate these weapons from both police and civilians. The participants instructed the local police to immediately remove these weapons and hand them over to SFOR immediately.

8. The participants reconfirmed their commitment to full freedom of movement in and around Mostar. They decided that existing obstacles to freedom of movement and illegal checkpoints will be immediately removed and that the police forces will, upon the instruction and in cooperation with IPTF and SFOR, have prosecuted those who hinder freedom of movement.

9. The participants deplored inflammatory statements in the media which had aggravated the situation and contributed considerably to the escalation of the crisis in Mostar. They committed themselves to show maximum restraint and to instruct the authorities of Mostar and the Herzegovina Neretva Canton to do likewise. Decisions of the Media Expert Commission of the Provisional Elections Commission on inflammatory statements will be implemented. The participants decided to nominate media liaison officers to IPTF in Mostar who should disseminate, on a regular basis and as appropriate, reliable information to the media on the security situation in the city.

10. The Principal Deputy High Representative drew the attention of the participants to the request of the Presidency of the European Union (EU) and the Steering Board of the Peace Implementation Conference of 21 January 1997 to the Office of the High Representative to identify those individuals responsible for

human rights violations and for serious contravention of the letter and the spirit of the Peace Agreement with a view to barring their travel to Europe and overseas. He announced that on the basis of the findings of the IPTF report he would make recommendations to the EU Governments and to the Steering Board members accordingly.

11. The participants agreed to monitor the situation in Mostar closely and to convene a follow-up meeting as soon as the IPTF report is submitted. The participants requested in particular the media covering the Mostar region to carry the text of this agreement in full in their news reporting.